

Message Text

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ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 COME-00 EB-11 SWF-02 AID-20

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INFO AMEMBASSY BONN

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

USMISSION GENEVA

USMISSION OECD PARIS

AMCONSUL MUNICH

LIMITED OFFICIAL USE EC BRUSSELS 2578

PASS TO THE US PATENT OFFICE FOR JAMES J. SHEEHAN

E.O. 11652: N/A

TAGS: EIND, EEC

SUBJ: EEC PATENT CONVENTION--POSTPONEMENT OF
LUXEMBOURG CONFERENCE

REF: A) BRUSSELS 1395

B) STATE A-1827

1. SUMMARY: THE LUXEMBOURG DIPLOMATIC CONFERENCE
ON THE EEC PATENT CONVENTION, WHICH WAS SCHEDULE TO
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BEGIN ON MAY 6, HAS BEEN POSTPONED AT THE REQUEST

OF THE UK. A NEW DATE FOR THE CONFERENCE WILL BE FIXED IN MID-OCTOBER. END SUMMARY.

2. OFFICIALS IN THE GERMAN PERMANENT DELEGATION AND AN EC COUNCIL SECRETARIAT OFFICIAL (SCORDAMAGLIA) HAVE CONFIRMED PRESS REPORTS THAT THE LUXEMBOURG DIPLOMATIC CONFERENCE ON THE EEC PATENT CONVENTION, WHICH WAS TO HAVE BEEN HELD FROM MAY 6 TO MAY 28, HAS BEEN POSTPONED AT THE REQUEST OF THE UK. THE DECISION TO POSTPONE THE CONFERENCE AS MADE AT THE MEETING OF THE COMMITTEE OF PERMANENT REPRESENTATIVES ON APRIL 25. NO NEW DATES FOR THE CONFERENCE HAVE BEEN SET, BUT, ACCORDING TO SOME OF OUR SOURCES, IT MAY NOT BE HELD UNTIL THE SPRING OF 1975. THE UK HAS AGREED TO EXPLAIN ITS PROBLEMS WITH THE CONVENTION AT A PERM REP MEETING IN MID-JULY AND THE PERM REPS ARE TO DECIDE ON A NEW DATE FOR THE CONVENTION BY MID-OCTOBER.

3. ACCORDING TO OUR SOURCES, THE LABOR GOVERNMENT WILL BE LOOKING AT THE CONVENTION TO SEE: (A) IF IT CAN ACCEPT THE SUBSTANCE OF THE TEXT, AND (B) IF ADOPTION OF THE EEC PATENT CONVENTION HAS IMPLICATIONS WHICH COULD AFFECT THE BRITISH POSITION ON RE-NEGOTIATION OF THE TERMS OF UK ENTRY INTO THE EC. (IN HIS STATEMENT AT THE EC COUNCIL OF MINISTERS MEETING ON APRIL 1, BRITISH FOREIGN SECRETARY CALLAGHAN SAID THAT THE UK WOULD PARTICIPATE IN THE WORK OF THE COMMUNITY SUBJECT ONLY TO NOT PROCEEDING WITH FURTHER PROCESSES OF INTEGRATION IF THESE SEEM LIKELY TO PREJUDGE THE OUTCOME OF THE NEGOTIATIONS.)

4. SCORDAMAGLIA SAID THAT THE OTHER EIGHT GOVERNMENTS, AND PARTICULARLY THE FRG, ARE SAYING THAT THEY INTEND TO SUBMIT BOTH THE EEC PATENT CONVENTION AND THE EUROPEAN PATENT CONVENTION, WHICH WAS APPROVED IN MUNICH IN THE FALL OF 1973, TO THEIR RESPECTIVE PARLIAMENTS FOR RATIFICATION AT THE SAME TIME. ACCORDING TO SCORDAMAGLIA, BY TYING RATIFICATION OF THE TWO CONVENTIONS TOGETHER, THE OTHER LIMITED OFFICIAL USE

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MEMBER STATES HOPE TO PUT SOME PRESSURE ON THE BRITISH TO MOVE MORE RAPIDLY ON THE EEC CONVENTION BECAUSE THE UK HAS SHOWN CONSIDERABLE INTEREST IN THE COMING INTO EFFECT OF THE EUROPEAN PATENT CONVENTION.

5. SCORDAMAGLIA HAS CABLED JAMES J. SHEEHAN OF THE US PATENT OFFICE TO INFORM HIM OF THE POSTPONEMENT

OF THE CONFERENCE.MYERSON

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